

## Exhibit B

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**From:** Dave Albo <DelDAIbo@house.virginia.gov>  
**Sent:** Monday, April 06, 2015 2:37 PM  
**To:** Walrath, Jennifer M.; RSpear@perkinscoie.com  
**Cc:** dave@davealbo.com  
**Subject:** RE: Bethune-Hill, et al. v. Virginia Board of Elections, et al., No. 3:14-cv-000852-REP-GBL-BMK

Dear Mr. Braden & Mr. Elias:

I understand that one of the parties in *Bethune-Hill v. Virginia State Board of Elections*, No. 3:14-cv-00852, currently pending in the U.S. District Court for the Eastern District of Virginia has requested e-mails to or from me in discovery in this case. By this e-mail, I assert my Legislative Privilege and do not authorize their transfer.

Kind Regards,

David B. Albo  
House of Delegates  
42nd District

---

**From:** Walrath, Jennifer M. [<mailto:jwalrath@bakerlaw.com>]  
**Sent:** Wednesday, April 01, 2015 12:18 PM  
**To:** Dave Albo  
**Cc:** Braden, E. Mark; Spear, Ryan M. (Perkins Coie) ([RSpear@perkinscoie.com](mailto:RSpear@perkinscoie.com))  
**Subject:** Bethune-Hill, et al. v. Virginia Board of Elections, et al., No. 3:14-cv-000852-REP-GBL-BMK

Delegate Albo,

Please see the attached correspondence concerning the above-referenced matter.

Regards,  
Jennifer

**Jennifer Walrath | BakerHostetler**  
Washington Square | 1050 Connecticut Avenue, N.W., Suite 1100 | Washington, D.C. 20036-5304  
T 202.861.1702 | F 202.861.1783  
[jwalrath@bakerlaw.com](mailto:jwalrath@bakerlaw.com)

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**From:** Rob Bell <robbellgop@aol.com>  
**Sent:** Tuesday, April 07, 2015 10:20 AM  
**To:** Walrath, Jennifer M.; RSpear@perkinscoie.com

Gentlemen:

Thank you for your recent letter. By this email I assert legislative privilege regarding documents in the current case. Thank you for your attention to this, and if you have any additional questions, please let me know.

Del. Rob Bell

**From:** betsy <delegate.carr@betsycarr.org>  
**Sent:** Monday, April 06, 2015 11:54 PM  
**To:** Walrath, Jennifer M.  
**Cc:** Braden, E. Mark; Spear, Ryan M. (Perkins Coie) (RSpear@perkinscoie.com)  
**Subject:** Re: Bethune-Hill, et al. v. Virginia Board of Elections, et al., No. 3:14-cv-000852-REP-GBL-BMK

Dear Jennifer Walrath, Mark Braden and Ryan Spear

I am not waiving any privilege.

Regards,  
Betsy Carr

Betsy B. Carr  
Member  
Virginia House of Delegates  
69th District  
804-698-1069 (phone)  
[delegate.carr@betsycarr.org](mailto:delegate.carr@betsycarr.org) (email)

Mailing address:  
Post Office Box 406  
Richmond, Virginia 23218

Street Address:  
General Assembly Building  
910 Capitol Street, Room 414  
Richmond, Virginia 23219

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**From:** Mark Cole <DelMCole@house.virginia.gov>  
**Sent:** Friday, April 03, 2015 5:14 PM  
**To:** Walrath, Jennifer M.  
**Cc:** Braden, E. Mark; Spear, Ryan M. (Perkins Coie) (RSpear@perkinscoie.com)  
**Subject:** Re: Bethune-Hill, et al. v. Virginia Board of Elections, et al., No. 3:14-cv-000852-REP-GBL-BMK

I am asserting my legislative privilege and will not be waiving my privilege in this case.

Sincerely,  
Mark L. Cole  
Delegate, 88th District  
Stafford, Spotsylvania, Fredericksburg, and Fauquier

District: 540-786-3402  
Fax: 804-698-6788

---

**From:** Walrath, Jennifer M. <[jwalrath@bakerlaw.com](mailto:jwalrath@bakerlaw.com)>  
**Sent:** Wednesday, April 1, 2015 12:15 PM  
**To:** Mark Cole  
**Cc:** Braden, E. Mark; Spear, Ryan M. (Perkins Coie) ([RSpear@perkinscoie.com](mailto:RSpear@perkinscoie.com))  
**Subject:** Bethune-Hill, et al. v. Virginia Board of Elections, et al., No. 3:14-cv-000852-REP-GBL-BMK

Delegate Cole,

Please see the attached correspondence concerning the above-referenced matter.

Regards,  
Jennifer

**Jennifer Walrath | BakerHostetler**  
Washington Square | 1050 Connecticut Avenue, N.W., Suite 1100 | Washington, D.C. 20036-5304  
T 202.861.1702 | F 202.861.1783  
[jwalrath@bakerlaw.com](mailto:jwalrath@bakerlaw.com)

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**From:** Kirk Cox <DelKCox@house.virginia.gov>  
**Sent:** Tuesday, April 07, 2015 9:38 AM  
**To:** Walrath, Jennifer M.; Braden, E. Mark; Spear, Ryan M. (Perkins Coie) (RSpear@perkinscoie.com)  
**Subject:** Re: Bethune-Hill, et al. v. Virginia Board of Elections, et al., No. 3:14-cv-000852-REP-GBL-BMK

I wish to assert my legislative privilege and will not be waiving my privilege in this case.

Please confirm receipt of this email.

Kirk

---

**From:** Walrath, Jennifer M. <[jwalrath@bakerlaw.com](mailto:jwalrath@bakerlaw.com)>  
**Sent:** Wednesday, April 1, 2015 12:14 PM  
**To:** Kirk Cox  
**Cc:** Braden, E. Mark; Spear, Ryan M. (Perkins Coie) ([RSpear@perkinscoie.com](mailto:RSpear@perkinscoie.com))  
**Subject:** Bethune-Hill, et al. v. Virginia Board of Elections, et al., No. 3:14-cv-000852-REP-GBL-BMK

Delegate Cox,

Please see the attached correspondence concerning the above-referenced matter.

Regards,  
Jennifer

**Jennifer Walrath | BakerHostetler**  
Washington Square | 1050 Connecticut Avenue, N.W., Suite 1100 | Washington, D.C. 20036-5304  
T 202.861.1702 | F 202.861.1783  
[jwalrath@bakerlaw.com](mailto:jwalrath@bakerlaw.com)

---

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**From:** Braden, E. Mark  
**Sent:** Friday, April 10, 2015 1:54 PM  
**To:** Walrath, Jennifer M.; Smith, Greer D.  
**Subject:** FW: Bethune-Hill v. Virginia State Board of Elections

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**From:** T. Scott Garrett [<mailto:DelSGarrett@house.virginia.gov>]  
**Sent:** Friday, April 10, 2015 1:20 PM  
**To:** Braden, E. Mark  
**Subject:** Fw: Bethune-Hill v. Virginia State Board of Elections

Incorrect email address initially used. Please see below.

Delegate T. Scott Garrett, M.D.  
Virginia House of Delegates, 23rd District  
(434) 455-0243 - District  
2255 Langhorne Road, Suite 4  
Lynchburg, VA 24501



---

**From:** T. Scott Garrett  
**Sent:** Friday, April 10, 2015 1:19 PM  
**To:** [mrbraden@bakerlaw.com](mailto:mrbraden@bakerlaw.com); [melias@perkinscoie.com](mailto:melias@perkinscoie.com)  
**Subject:** Bethune-Hill v. Virginia State Board of Elections

To Whom It May Concern,

Please be advised that I am asserting my legislative privilege with respect to e-mail communications in the above mentioned case, as per the request in your undated letter.

Sincerely,

**Delegate T. Scott Garrett, M.D.**  
Virginia House of Delegates, 23rd District  
(434) 455-0243 - District  
2255 Langhorne Road, Suite 4  
Lynchburg, VA 24501



---

**From:** jesselynch39@gmail.com on behalf of Jesse T Lynch <jesse@greghabeeb.com>  
**Sent:** Tuesday, April 07, 2015 4:23 PM  
**To:** Walrath, Jennifer M.  
**Subject:** Re: Bethune-Hill, et al. v. Virginia Board of Elections, et al., No. 3:14-cv-000852-REP-GBL-BMK

Thank you for your letter dated April 6, 2015. This office respectfully declines to waive legislative privilege or any other applicable privilege. Thank you.

On Mon, Apr 6, 2015 at 7:13 PM, Walrath, Jennifer M. <[jwalrath@bakerlaw.com](mailto:jwalrath@bakerlaw.com)> wrote:

Delegate Habeeb,

Please see the attached correspondence concerning the above-referenced matter.

Regards,

Jennifer

**Jennifer Walrath | BakerHostetler**  
Washington Square | 1050 Connecticut Avenue, N.W., Suite 1100 | Washington, D.C. 20036-5304  
T [202.861.1702](tel:202.861.1702) | F [202.861.1783](tel:202.861.1783)  
[jwalrath@bakerlaw.com](mailto:jwalrath@bakerlaw.com)

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**From:** Riley Ingram <DelRIngram@house.virginia.gov>  
**Sent:** Friday, April 03, 2015 3:53 PM  
**To:** Walrath, Jennifer M.  
**Subject:** House of Delegates Redistricting Plan

Dear Ms. Walrath:

This email is to serve as my response in reference to the Bethune-Hill, et al.v Virginia Board of Elections, et al., No. 3:14-cv-000852-REP-GBL-BMK case. I wish to assert my legislative privilege and I will not be waiving my privilege in this case.

Thank you for your assistance and please let me know if you need anything further from me.

Sincerely,

Riley E. Ingram  
Delegate, 62nd District  
Virginia House of Delegates  
[DelRIngram@house.virginia.gov](mailto:DelRIngram@house.virginia.gov)  
804/452-2202 District Office

**From:** Steve Landes <steve@stevelandes.com>  
**Sent:** Friday, April 03, 2015 2:06 PM  
**To:** Walrath, Jennifer M.; RSpear@perkinscole.com  
**Cc:** steve@stevelandes.com  
**Subject:** Bethune-Hill, et al. v. Virginia Board of Elections, et al., No. 3:14-cv-000852-REP-GBL-BMK

Dear Ms. Walrath and Mr. Spear:

In regards to the above case and the request to certain members of the Virginia House of Delegates for emails, I do hereby assert my legislative privilege to withhold or turn over any emails regarding this request for this case. Please acknowledge receipt of this email, and confirm by email. Thank you.

R. Steven (Steve) Landes  
Member, House of Delegates  
District: 540.255.5335  
Richmond: 804.698.1025  
[steve@stevelandes.com](mailto:steve@stevelandes.com)  
[www.stevelandes.com](http://www.stevelandes.com)

**From:** Jim LeMunyon <jim.lemunyon@gmail.com>  
**Sent:** Monday, April 06, 2015 6:23 PM  
**To:** Walrath, Jennifer M.; rspear@perkinscoie.com  
**Subject:** Bethune-Hill, et al. v. Virginia Board of Election

Dear Jennifer and Ryan,

Having reviewed the email message with attachment I received from your respective law firms on April 2, 2015 regarding the above referenced case, and having reviewed a single email message provided to me by Jennifer that is considered to be a subject of the attachment, and noting this email message was not written by me nor is it regarding the 67th legislative district I represent, I hereby assert my legislative privilege to NOT grant a waiver, thereby requiring this email message NOT be provided to plaintiff's counsel.

Please let me know if you have any questions.

Jim LeMunyon  
Member, Virginia House of Delegates  
67th District

**From:** Scott Lingamfelter <slingamfelter@comcast.net>  
**Sent:** Wednesday, April 08, 2015 2:48 PM  
**To:** Walrath, Jennifer M.; RSpear@perkinscoie.com  
**Cc:** 'Kathy Roberts'; 'Bill Howell (P)'; 'S. Chris Jones'; Terry Durkin  
**Subject:** Bethune-Hill v. Virginia State Board of Elections

**Importance:** High

Dear Mr. Braden and Mr Elias,

This is to inform you that I am asserting my legislative privilege and will not be waiving my legislative privilege in the case of Bethune-Hill v. Virginia State Board of Elections, No. 3:14-cv-00852, currently pending in the U.S. District Court for the Eastern District of Virginia. To be perfectly clear, in asserting my legislative privilege in this matter and I do not want my emails or other documents to be turned over to the plaintiffs in the case.

Sincerely,

*Scott*

L. Scott Lingamfelter  
Colonel, US Army (Ret)  
Delegate, 31st District  
Virginia House of Delegates  
5420 Lomax Way  
Woodbridge, Virginia 22193  
(703) 580-8899 (Home)  
(703) 580-1294 (District Office)  
(703) 590-7090 (Fax)  
[slingamfelter@comcast.net](mailto:slingamfelter@comcast.net) (Email)  
[www.ScottforVA.com](http://www.ScottforVA.com) (Delegate Website)

Authorized and Paid for by Friends of Scott Lingamfelter

---

**From:** Danny Marshall <DelDMarshall@house.virginia.gov>  
**Sent:** Tuesday, April 07, 2015 5:07 PM  
**To:** Walrath, Jennifer M.  
**Cc:** Braden, E. Mark; Spear, Ryan M. (Perkins Coie) (RSpear@perkinscoie.com)  
**Subject:** Re: Bethune-Hill, et al. v. Virginia Board of Elections, et al., No. 3:14-cv-000852-REP-GBL-BMK

To All Concerned:

By this email I assert my legislative privilege to not surrender documents in the current case as listed. Please let me know if you need any additional information at this time in this regard.

Danny Marshall  
Delegate, 14th House District  
Office: 434-797-5861

---

**From:** Walrath, Jennifer M. <[jwalrath@bakerlaw.com](mailto:jwalrath@bakerlaw.com)>  
**Sent:** Wednesday, April 1, 2015 12:18 PM  
**To:** Danny Marshall  
**Cc:** Braden, E. Mark; Spear, Ryan M. (Perkins Coie) ([RSpear@perkinscoie.com](mailto:RSpear@perkinscoie.com))  
**Subject:** Bethune-Hill, et al. v. Virginia Board of Elections, et al., No. 3:14-cv-000852-REP-GBL-BMK

Delegate Marshall,

Please see the attached correspondence concerning the above-referenced matter.

Regards,  
Jennifer

**Jennifer Walrath | BakerHostetler**  
Washington Square | 1050 Connecticut Avenue, N.W., Suite 1100 | Washington, D.C. 20036-5304  
T 202.861.1702 | F 202.861.1783  
[jwalrath@bakerlaw.com](mailto:jwalrath@bakerlaw.com)

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**From:** Delegate Massie <jpm.72@house.virginia.gov>  
**Sent:** Tuesday, April 07, 2015 10:25 PM  
**To:** Walrath, Jennifer M.; rspear@perkinscoie.com  
**Cc:** Jimmie P Massie  
**Subject:** Re: Bethune-Hill, et al. v. Virginia Board of Elections, et al., No. 3:14-cv-000852-REP-GBL-BMK  
**Attachments:** Joint Letter to Delegates (Apr. 6, 2015) copy.pdf

Ms. Walrath and Mr. Spear:

Per our emails below and your attached letter, I am asserting my legislative privilege and I will not be waiving said legislative privilege with respect to my email communications in this case.

Very truly yours,

Jimmie  
James P. "Jimmie" Massie, III  
72nd District House of Delegates  
Henrico County

---

**From:** Jimmie Massie <jpm.72@house.virginia.gov>  
**Date:** Tuesday, April 7, 2015 9:59 AM  
**To:** "jwalrath@bakerlaw.com" <jwalrath@bakerlaw.com>, "rspear@perkinscoie.com" <rspear@perkinscoie.com>  
**Cc:** Jimmie P Massie <DelJMassie@house.virginia.gov>  
**Subject:** Bethune-Hill, et al. v. Virginia Board of Elections, et al., No. 3:14-cv-000852-REP-GBL-BMK

Ms. Walrath and Mr. Spear:

This email will serve as my **INITIAL** response to your email below and letter attached:

1. I reserve my right to retain and consult with my own legal counsel;
2. Given that I have not retained, nor consulted with my own legal counsel (or any other counsel...legal or other), I do not, at this time, assert or waive my legislative privilege in this case. As such, going forward, I solely retain the right to assert or waive my legislative privilege. I ask that you, Intervenor's counsel, continue "withholding these emails on the basis of legislative privilege" until I assert or waive my legislative privilege to them;
3. Sending me the below email at 7:12 PM on Tuesday, April 6, 2015 and asking me to respond "no later than noon on April 10, 2015", or in 3.5 days is an unreasonable request (and I, as a legal layman, would initially think it is legally unenforceable). Your request is especially unreasonable given that it is the week after Easter when so many (including lawyers) are on Spring Break and I do not possess (much less my legal counsel possesses) my "responsive" emails that are the subject of your discovery;
4. Per your letter attached, I "would like to see (possesses in digital form per me) any (all per me) emails sent to or from you (me per me) deemed responsive so far". Please email me, all my "responsive" emails at this email address with a Cc to [deljmassie@house.virginia.gov](mailto:deljmassie@house.virginia.gov). Please also email me any "additional responsive documents after the date of this correspondence";
5. With respect to future communication, please use [jpm.72@house.virginia.gov](mailto:jpm.72@house.virginia.gov) as my primary email address and always Cc [deljmassie@house.virginia.gov](mailto:deljmassie@house.virginia.gov).

Please acknowledge receipt of this email via reply email.

Very truly yours,

Jimmie

James P. "Jimmie" Massie, III  
72nd District House of Delegates  
Henrico County

---

**From:** Walrath, Jennifer M. <[jwalrath@bakerlaw.com](mailto:jwalrath@bakerlaw.com)>  
**Sent:** Monday, April 06, 2015 7:12 PM  
**To:** Jimmie P Massie  
**Cc:** Braden, E. Mark; Spear, Ryan M. (Perkins Coie) ([RSpear@perkinscoie.com](mailto:RSpear@perkinscoie.com))  
**Subject:** Bethune-Hill, et al. v. Virginia Board of Elections, et al., No. 3:14-cv-000852-REP-GBL-BMK

Delegate Massie,

Please see the attached correspondence concerning the above-referenced matter.

Regards,  
Jennifer

**Jennifer Walrath | BakerHostetler**  
Washington Square | 1050 Connecticut Avenue, N.W., Suite 1100 | Washington, D.C. 20036-5304  
T 202.861.1702 | F 202.861.1783  
[jwalrath@bakerlaw.com](mailto:jwalrath@bakerlaw.com)

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Dear Delegate:

We respectively represent the Plaintiffs and the Virginia House of Delegates and Speaker Howell in the case of *Bethune-Hill v. Virginia State Board of Elections*, No. 3:14-cv-00852, currently pending in the U.S. District Court for the Eastern District of Virginia. Plaintiffs have challenged House of Delegates Districts 63, 69, 70, 71, 74, 75, 77, 80, 89, 90, 92, and 95 as racial gerrymanders in violation of the Equal Protection Clause of the Fourteenth Amendment. The Virginia House of Delegates and Speaker William J. Howell (“Intervenors”) have intervened as defendants in this matter. Counsel for the Virginia House of Delegates and Speaker Howell (“Intervenors’ counsel”) do not represent you or any individual delegate other than Speaker Howell in these proceedings. **As such, you may wish to consider consulting your own legal counsel in regard to this matter.**

This letter is to notify you that, in accordance with the Court’s scheduling order, Plaintiffs have served discovery requests seeking documents within the possession, custody, or control of the Virginia House of Delegates regarding the 2011 House of Delegates redistricting process. Intervenors’ counsel have conducted searches of documents within the House’s possession, custody, or control and determined that one or more emails you have written or received are responsive to Plaintiffs’ requests.<sup>1</sup> This process is ongoing and Intervenors’ counsel may identify additional responsive documents after the date of this correspondence.

At this time, Intervenors are withholding these emails on the basis of legislative privilege, which belongs to individual members of a legislative body such that it is up to each individual delegate to assert or waive his/her legislative privilege. Waiver of the privilege will result in production of your responsive email communications and may result in you being called as a witness in this proceeding. Intervenors have produced certain responsive documents to and from Speaker Howell and Del. Chris Jones, who have waived legislative privilege in this case with respect to their communications and testimony.

**We collectively request that you inform us in writing no later than noon on April 10, 2015, whether you intend to assert or waive legislative privilege with respect to your email communications in this case.**

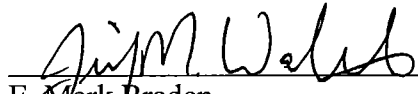
Intervenors have taken the position that they will not produce these documents unless and until they receive from you an express waiver of legislative privilege. This means that Intervenors will not voluntarily produce your email communications unless you respond to this letter as set forth below, in writing, waiving your legislative privilege. Plaintiffs have taken the position that Intervenors must produce these documents no later than April 8, 2015 if you have not notified the Court and the parties in writing (for example, by filing a motion in this case) that you are asserting a legislative privilege. Plaintiffs intend to file a motion to compel production of these documents with the Court if Intervenors do not produce the documents by April 8th. Thus, even if you assert the legislative privilege in this case, the Court may order the Intervenors to produce your email communications to the Plaintiffs.

---

<sup>1</sup> Please contact Intervenors’ counsel if you would like to see any of the emails sent to or from you deemed responsive so far.

In the interest of an efficient resolution of this discovery issue, we ask that you respond to this letter via email to both Intervenor's counsel (at [jwalrath@bakerlaw.com](mailto:jwalrath@bakerlaw.com)) and Plaintiffs' counsel (at [RSpear@perkinscoie.com](mailto:RSpear@perkinscoie.com)) at your earliest convenience, and in any event no later than **noon on April 10, 2015**, with your position.


Very truly yours,



---

E. Mark Braden  
Jennifer M. Walrath  
Katherine L. McKnight  
BAKER HOSTETLER LLP  
1050 Connecticut Ave NW, Suite 1100  
Washington, DC 20036  
Tel: (202) 861-1500  
Fax: (202) 861-1783  
[mbraden@bakerlaw.com](mailto:mbraden@bakerlaw.com)  
[jwalrath@bakerlaw.com](mailto:jwalrath@bakerlaw.com)  
[kmcknight@bakerlaw.com](mailto:kmcknight@bakerlaw.com)

*Attorneys for Intervenor-Defendants the Virginia  
House of Delegates and Speaker William J. Howell*



---

Marc E. Elias  
Kevin J. Hamilton  
John K. Roche  
Bruce V. Spiva  
Abha Khanna  
Ryan Spear  
PERKINS COIE, LLP  
700 13th St. N.W., Suite 600  
Washington, D.C. 20005-3960  
Phone: (202) 434-1627  
Fax: (202) 654-9106  
[MElias@perkinscoie.com](mailto:MElias@perkinscoie.com)  
[KHamilton@perkinscoie.com](mailto:KHamilton@perkinscoie.com)  
[JRoch@perkinscoie.com](mailto:JRoch@perkinscoie.com)  
[BSpiva@perkinscoie.com](mailto:BSpiva@perkinscoie.com)  
[AKhanna@perkinscoie.com](mailto:AKhanna@perkinscoie.com)  
[RSpear@perkinscoie.com](mailto:RSpear@perkinscoie.com)

*Attorneys for Plaintiffs*

**From:** Joe May <joetmay@aol.com>  
**Sent:** Monday, April 06, 2015 1:07 PM  
**To:** Walrath, Jennifer M.; RSpear@perkinscoie.com  
**Subject:** Letter of Intent (Bethune-Hill v. Virginia State Board of Elections)  
**Attachments:** Bethune\_Hill\_v\_SBE.pdf

See attached letter

*Joe T. May  
EIT, LLC  
108 Carpenter Dr.  
Sterling, VA 20164  
(703) 478-0700*

Joe T. May  
40354 Foxfield Lane  
Leesburg, VA 20175

April 6, 2014

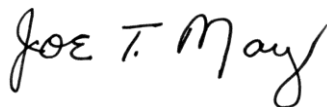
Baker Hostetler LLP  
[jwalrath@bakerlaw.com](mailto:jwalrath@bakerlaw.com)  
Perkins Coie LLP  
[RSpear@perkinscoie.com](mailto:RSpear@perkinscoie.com)

RE: *Bethune-Hill v. Virginia State Board of Elections*

To Whom It May Concern:

I am receipt of documentation regarding the above stated ligation pending in federal court. I take this means to let you know that I am asserting my legislative privilege and will not be waiving my privilege in this case.

Truly yours,

A handwritten signature in black ink that reads "Joe T. May". The signature is written in a cursive, slightly slanted style.

Joe T. May

---

**From:** Delores L McQuinn <DeIDMcQuinn@house.virginia.gov>  
**Sent:** Tuesday, April 07, 2015 12:12 PM  
**To:** Walrath, Jennifer M.; RSpear@perkinscoie.com; Braden, E. Mark  
**Subject:** Response

Good afternoon everyone

This email is to inform all parties, Delegate McQuinn will not waive her legislative privilege concerning her emails.  
Thanks.

Keith Westbrook  
Legislative Assistant  
Delegate Delores L. McQuinn  
804-698-1270 or 804-301-0671

---

**From:** Jackson H Miller <DeJMiller@house.virginia.gov>  
**Sent:** Friday, April 03, 2015 2:23 PM  
**To:** Walrath, Jennifer M.; rspear@perkinscoe.com  
**Subject:** Legislative Privilege

To Whom It May Concern:

This email is to request that the office of Delegate Jackson Miller intends to assert the legislative privilege.

If there are any questions or concerns, please do not hesitate to reach out to my office.

Best,

Jackson Miller

-----  
Jackson H. Miller  
Majority Whip  
Virginia House of Delegates  
50th District  
703-244-6172

**From:** johnobannon@comcast.net  
**Sent:** Monday, April 06, 2015 11:32 PM  
**To:** Walrath, Jennifer M.; RSpear@perkinscoie.com  
**Cc:** Bill Howell; Kirk Cox; S. Chris Jones; Kathy Roberts  
**Subject:** Legislative Privilege for Del. John O'Bannon

By this email I assert my legislative privilege to not surrender documents in the current case as listed.

Please let me know if you need any additional information at this time in this regard.

Del. John M. O'Bannon

**From:** Chris Peace <DelCPeace@house.virginia.gov>  
**Sent:** Tuesday, April 07, 2015 11:36 AM  
**To:** Walrath, Jennifer M.; RSpear@perkinscoie.com  
**Subject:** Legislative Privilege

Dear Counselors:

By this email I assert my legislative privilege to not surrender documents in the case titled Bethune-Hill, et al. v. Virginia Board of Elections, et al. Please let me know if you need any additional action from me regarding your request at this time.

Thank you for your correspondence.

Chris Peace

Delegate Christopher K. Peace  
Virginia House of Delegates  
97th District  
804-698-1097-Capitol  
804-730-3737-District  
[delcpeace@house.virginia.gov](mailto:delcpeace@house.virginia.gov)  
[www.chrispeace.com](http://www.chrispeace.com)



---

**From:** Brenda L Pogge <DelBPogge@house.virginia.gov>  
**Sent:** Wednesday, April 08, 2015 3:44 PM  
**To:** Walrath, Jennifer M.  
**Cc:** Braden, E. Mark; Spear, Ryan M. (Perkins Coie) (RSpear@perkinscoie.com)  
**Subject:** RE: Bethune-Hill, et al. v. Virginia Board of Elections, et al., No. 3:14-cv-000852-REP-GBL-BMK  
**Attachments:** 20150408 Attorney Response.pdf

Good afternoon,

Attached please find Delegate Pogge's response to your April 6 inquiry.

Sincerely,

Amanda Johnston  
Legislative Assistant  
Delegate Brenda L. Pogge  
96<sup>th</sup> District, Virginia House of Delegates  
757.223.9690  
[www.brendapogge.com](http://www.brendapogge.com)

---

**From:** Walrath, Jennifer M. [<mailto:jwalrath@bakerlaw.com>]  
**Sent:** Monday, April 06, 2015 7:13 PM  
**To:** Brenda L Pogge  
**Cc:** Braden, E. Mark; Spear, Ryan M. (Perkins Coie) ([RSpear@perkinscoie.com](mailto:RSpear@perkinscoie.com))  
**Subject:** Bethune-Hill, et al. v. Virginia Board of Elections, et al., No. 3:14-cv-000852-REP-GBL-BMK

Delegate Pogge,

Please see the attached correspondence concerning the above-referenced matter.

Regards,  
Jennifer

**Jennifer Walrath | BakerHostetler**  
Washington Square | 1050 Connecticut Avenue, N.W., Suite 1100 | Washington, D.C. 20036-5304  
T 202.861.1702 | F 202.861.1783  
[jwalrath@bakerlaw.com](mailto:jwalrath@bakerlaw.com)

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COMMONWEALTH OF VIRGINIA  
HOUSE OF DELEGATES  
RICHMOND

BRENDA L. POGGE  
POST OFFICE BOX 196  
NORFOLK, VIRGINIA 23127

NINETY-SIXTH DISTRICT

COMMITTEE ASSIGNMENTS:  
EDUCATION (VICE CHAIRMAN)  
FINANCE  
HEALTH, WELFARE AND INSTITUTIONS

April 8, 2015

E. Mark Braden  
Jennifer M. Walrath  
Katherine L. McKnight  
Baker Hostetler LLP  
1050 Connecticut Ave. N.W.  
Suite 1100  
Washington, DC 20036

Marc E. Elias  
Kevin J. Hamilton  
John K. Roche  
Bruce V. Spiva  
Abha Khanna  
Ryan Speaker  
Perkins Coi LLP  
700 13th St. N.W.  
Suite 600  
Washington, DC 20005-3960

To Whom It May Concern:

In response to your April 6, 2015, email and letter, I hereby confirm that I am asserting my legislative privilege. I will not waive my legislative privilege in this case.

Sincerely,

A handwritten signature in blue ink that reads "Brenda L. Pogge".

Brenda L. Pogge

---

**From:** Ed Scott <DelEScott@house.virginia.gov>  
**Sent:** Wednesday, April 08, 2015 5:56 PM  
**To:** Walrath, Jennifer M.  
**Cc:** Braden, E. Mark; Spear, Ryan M. (Perkins Coie) (RSpear@perkinscoie.com)  
**Subject:** Re: Bethune-Hill, et al. v. Virginia Board of Elections, et al., No. 3:14-cv-000852-REP-GBL-BMK

I hereby assert my legislative privilege with regard to this matter. I will not waive legislative privilege.

Ed Scott  
Delegate, 30th District

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**From:** Walrath, Jennifer M. <[jwalrath@bakerlaw.com](mailto:jwalrath@bakerlaw.com)>  
**Sent:** Monday, April 6, 2015 7:13 PM  
**To:** Ed Scott  
**Cc:** Braden, E. Mark; Spear, Ryan M. (Perkins Coie) ([RSpear@perkinscoie.com](mailto:RSpear@perkinscoie.com))  
**Subject:** Bethune-Hill, et al. v. Virginia Board of Elections, et al., No. 3:14-cv-000852-REP-GBL-BMK

Delegate Scott,

Please see the attached correspondence concerning the above-referenced matter.

Regards,  
Jennifer

**Jennifer Walrath | BakerHostetler**  
Washington Square | 1050 Connecticut Avenue, N.W., Suite 1100 | Washington, D.C. 20036-5304  
T 202.861.1702 | F 202.861.1783  
[jwalrath@bakerlaw.com](mailto:jwalrath@bakerlaw.com)

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**From:** carmen.bingham@gmail.com on behalf of DelDToscano@house.virginia.gov  
**Sent:** Friday, April 10, 2015 10:24 AM  
**To:** Walrath, Jennifer M.; melias@perkinscoie.com  
**Cc:** rspear@perkinscoie.com; Braden, E. Mark  
**Subject:** Re: Bethune-Hill, et al. v. Virginia Board of Elections, et al., No. 3:14-cv-000852-REP-GBL-BMK  
**Attachments:** walrathelias.response.040915.pdf

Attached please find a response from Delegate David Toscano.

Thank you.

\*\*\*\*\*  
\*\*\*\*\*

Office of Delegate David J. Toscano  
Virginia House of Delegates, 57th District  
House Democratic Leader  
211 East High Street  
Charlottesville, VA 22902  
(434) 220-1660  
[davidtoscano.com](http://davidtoscano.com)

On Mon, Apr 6, 2015 at 7:12 PM, Walrath, Jennifer M. <[jwalrath@bakerlaw.com](mailto:jwalrath@bakerlaw.com)> wrote:

Delegate Toscano,

Please see the attached correspondence concerning the above-referenced matter.

Regards,

Jennifer

**Jennifer Walrath | BakerHostetler**  
Washington Square | 1050 Connecticut Avenue, N.W., Suite 1100 | Washington, D.C. 20036-5304  
T [202.861.1702](tel:202.861.1702) | F [202.861.1783](tel:202.861.1783)  
[jwalrath@bakerlaw.com](mailto:jwalrath@bakerlaw.com)

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COMMONWEALTH OF VIRGINIA  
HOUSE OF DELEGATES  
RICHMOND

DAVID J. TOSCANO  
MINORITY LEADER

211 EAST HIGH STREET  
CHARLOTTESVILLE, VIRGINIA 22902

COMMITTEE ASSIGNMENTS:  
COURTS OF JUSTICE  
TRANSPORTATION  
RULES

April 9, 2015

FIFTY-SEVENTH DISTRICT

Jennifer M. Walrath  
Baker Hostetler, LLP  
1050 Connecticut Ave, NW  
Suite 1100  
Washington, D.C. 20036

Marc E. Elias  
Perkins Coie, LLP  
700 13<sup>th</sup> St, NW  
Suite 600  
Washington, D.C. 20005-3960

Dear Ms. Walrath and Mr. Elias,

I received your letter on Wednesday, April 8, 2015, when I returned from a two day vacation.

I request from the Intervenor any and all emails that I have either written or received that are responsive to Plaintiffs' discovery request.

By this letter, I hereby assert legislative privilege as to any and all emails written or received related to these requests.

Thank you for your assistance.

Sincerely,

A handwritten signature in black ink, appearing to read "David J. Toscano".

David J. Toscano